STATES PATENT AND TRADEMARK OFFICE

<u>In re</u> application of:) Examiner: Not assigned
FAN, et al.)) Group Art Unit: 1645
Serial No. 09/779,202)
Filed: February 7 2001	COPY OF PAPERS ORIGINALLY FILED)))
For: NUCLEIC ACID DETECTION METHODS USING UNIVERSAL PRIMING	

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, 126 / D)

Fern S. Marder

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts Assistant Commissioner for Patents Washington, DC 20231

Sir:

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This is in response to the Notice to File Missing Parts of Nonprovisional Application mailed March 30, 2001.

Applicant claims small entity status in accordance with 37 CFR 1.27.

Enclosed are the following documents:

- Copy of Notice to File Missing Parts of Nonprovisional Application; (1)
- Declaration and Power of Attorney (2 counterparts); (2)
- 2 Assignments (copies) (for each of 2 assignors with different assignees); (3)
- 2 Powers of Attorney by Assignee (for each of 2 assignees); (4)

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- (5) Check for \$611.00 to cover the filing fee (\$370.00), 4 claims over 20 (\$36.00), the multiple dependent claim surcharge (\$140.00), and the missing parts surcharge (\$65.00) for a small entity (at the post-10/1/01 fee rates);
- (6) Petition for Extension of Time (five months);
- (7) Check in the amount of \$980.00 to cover a five-month extension for a small entity; and
- (8) Return receipt postcard.

The Commissioner is authorized to charge any fees, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-69850-1/DJB/RMS/DCF).

It is believed that submission of the above serves to satisfy all of the requirements of the outstanding Notice of Missing Parts.

Respectfully submitted,

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

David C. Foster, Reg. No. 44,685

Patent Agent for

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United States Patent and Trademark Office

COMMISSIONER FOR PATENTS United States Patent and Trademark Office WASHINGTON, D.C 20231 www.uspto.gov

APPLICATION NUMBER FILING/RECEIPT DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER A-69850-1/DJB/RMS/DCF 09/779.202 02/07/2001 Jian-Bing Fan

CONFIRMATION NO. 5664

Robin M. Silva, Esq. FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP Four Embarcadero Center, Suite 3400 San Francisco, CA 94111-4187

FORMALITIES LETTER *OC000000005922304*

Date Mailed: 03/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$342.
 - \$72 for 4 total claims over 20.
 - \$270 for multiple dependent claim surcharge.
- · The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1182.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which control the informalities indicated below.

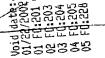
The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
- drawings contain excessive text. Suitable descriptive fegends may be used, or so may be required by the Examiner where necessary for understanding of the drawing but should contain as few words.
 - drawings submitted to the Office are not electronically reproducible. Drawing

01/22/2002 TLUU11 00000339 09779202

02 FC:201 03 FC:203 04 FC:204

36.00 OP 140.00 OP





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sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE